

**IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(SPECIAL ORIGINAL JURISDICTION)**

Present:

Justice Sheikh Abdul Awal

And

Justice S.M. Iftekhar Uddin Mahamud

Writ Petition No. 1145 of 2023

In the matter of:

An application under Article 102 of the
Constitution of the People's Republic of
Bangladesh.

And

In the Matter of:

Alhaz Sekander Ali Khan

..... Petitioner.

-Versus-

The Government of the People's Republic
of Bangladesh represented by the Secretary,
Ministry of Liberation War Affairs and
others.

.....Respondents.

Mr. Gouranga Chandra Kar, Advocate

..... For the Petitioner.

Mr. Mohammad Mohsin Kabir, D.A.G.

Mr. A.K.M. Rezaul Karim Khandaker,
D.A.G with

Mr. Md. Manowarul Islam, A.A.G.

Ms. Shaheen Sultana, A.A.G.

... For the Government-Respondents.

Heard and judgment on 18.12.2025

Sheikh Abdul Awal, J:

On an application under Article 102 of the Constitution of the People's Republic of Bangladesh, a Rule Nisi was issued calling upon the respondents to show cause as to why inaction of the

respondents to issue a Freedom Fighter Certificate in favour of the petitioner and also to pay monthly Muktijoddha Honorarium (Sammani Bhata) to the petitioner in accordance with the Bir Muktijoddha Sammani Bhata Bitoron Nitimala, 2013 should not be declared illegal and is of no legal effect and/or pass such other or further order or orders as to this Court may seem fit and proper.

The relevant facts as stated in the writ petition briefly are that the petitioner was a valiant freedom fighter, who fought for this country during the liberation war, held in 1971. Due to his contribution in the liberation war some of the co-freedom fighters issued certificates recognizing the petitioner as freedom fighter (Annexure B, B-1,B-2) and the petitioner as freedom fighter surrendered his arms vide Certificate No. 2499 as evidenced by “Annexure-A-1” to the writ petition but Upazila Freedom Fighter Scrutinizing Committee after completion of a perfunctory scrutiny rejected the documents of the petitioner and thereafter, the petitioner filed an Appeal being No. 31424 to the Chairman, JAMUKA (Jatyo Muktijoddha Council) (Annexure-C) but the authority did not dispose of the appeal.

In this background on 11.01.2023 the petitioner filed an application under the caption “আপীল শুনানি করা প্রসঙ্গে” to the respondent No. 6, Director General, JAMUKA (National Muktijoddha Council) stating all the facts and circumstances in requesting him to issue a certificate and Gazette Notification by inserting his name as Muktijoddha or supplying his information regarding the appeal but the respondent did not pay any heed to it.

Aggrieved petitioner then preferred this Writ Petition and obtained the present Rule.

Mr. Gouranga Chandra Kar, the learned Advocate appearing for the petitioner at the very outset referring the Rule issuing order

submits that inspite of a direction of this Court the যাচাই-বাছাই committee has not yet been disposed of the application of the petitioner dated 11.01.2023 (Annexure-E). The learned Advocate further submits that in the facts and circumstance the Rule may be made absolute by giving a direction to the respondents to dispose of the application dated 11.01.2023 (Annexure-E).

Mr. Mohammad Mohsin Kabir, the learned Deputy Attorney General, on the other hand, supports the sole contention of the learned Advocate for the petitioner.

Heaving heard the learned Advocate and the learned Deputy Attorney General, perused the writ petition along with the annexed documents as filed thereto.

On scrutiny of the record, it appears that the petitioner fought for this country during the liberation war and due to his contribution in liberation war some of the co-freedom fighters issued certificates recognizing the petitioner as freedom fighter as contained in Annexure B, B-1,B-2 to the writ petition.

Considering the facts and circumstances of the case as labeled from the materials on record, we find merit in this Rule.

Accordingly, the Rule is made Absolute. The Respondent No. 6 is directed to hear and dispose of the application of the petitioner dated 11.01.2023 (Annexure-E) in accordance with law as early as possible preferably within 2(two) months from the date of receipt of this order.

Communicate this order at once.

S.M. Iftekhar Uddin Mahamud, J:

I agree.